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December 14, 2017

**VIA ECF**

Hon. Michael J. Roemer  
United States Magistrate Judge  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202

**RE: Horn v. Medical Marijuana, Inc., Dixie Elixirs and Edibles, Red Dice Holdings, LLC, and Dixie Botanicals**  
**Index No.: 1:15-cv-00701-FPG-MJR**  
**Our File No.: 7281.0013**

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Dear Magistrate Judge Roemer:

As you may recall, we represent the party sued incorrectly herein as Defendant Dixie Elixirs and Edibles in the above-referenced matter. We join our co-Defendant in their opposition to the Plaintiffs' request in all regards with respect to Plaintiffs' Second Motion for Extension of Time.

In advance of the oral argument currently scheduled for December 18, 2017, we respectfully request that we be granted permission to appear telephonically due to the fact that our offices are situated in New York, New York and we endeavor to minimize the cost associated with travel.

We thank the Court for its consideration with this request.

Respectfully submitted,

Messner Reeves LLP



Hanoch Sheps

CC: All parties via ECF